

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6552

BILL NUMBER: SB 196

NOTE PREPARED: Dec 15, 2005

BILL AMENDED:

SUBJECT: Election Fraud.

FIRST AUTHOR: Sen. Mrvan

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: The bill changes the classification of certain crimes relating to elections from a Class D felony to a Class C felony.

Effective Date: July 1, 2006.

Explanation of State Expenditures: *Summary:* Twenty-three election crimes would be upgraded from a Class D to a Class C felony.

Background Information: No person convicted of an election crime was remanded to a Department of Correction (DOC) facility in CY 2004.

Penalty Provision: State expenditures would increase if an offender is incarcerated in a state prison for a longer period of time. However, any additional expenditures are likely to be small. A Class D felony is punishable by a prison term ranging between six months to three years or reduction to Class A misdemeanor, depending upon mitigating and aggravating circumstances. A Class C felony is punishable by a prison term ranging from two to eight years. If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. The average length of stay in DOC facilities for all Class C felony offenders is approximately two years.

Explanation of State Revenues: *Penalty Provision:* No change would likely occur in state revenue as a result of this bill since criminal fines and court fees are the same for either Class D or C felonies.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Penalty Provision:* No additional revenues would be expected since the court fees for Class D and Class C are the same.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Department of Correction.

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